

*Puller*  
199  
Hef

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Atty. Docket No: 3495.0111-10

Prior Application:

Art Unit: 1636

Examiner: R. Schwartzman

SIR: This is a request for filing a

☐ Continuation ☒ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 09/119,024, filed July 20, 1998, which is a Continuation of application Serial No. 08/336,241, filed November 7, 1994, which is a CIP of application Serial No. 07/971,160, filed November 5, 1992, which is a CIP of application Serial No. 07/879,689, filed May 5, 1992 of Andre CHOULIKA et al. (Inventor(s)) for NUCLEOTIDE SEQUENCE ENCODING THE ENZYME I-Sce1 AND THE USES THEREOF

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 08/336,241 as originally filed on November 7, 1994.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☒ Cancel Claims 2-14 and 16-22.
4. ☒ A Preliminary Amendment will follow.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

| For   | Number Filed | Number Extra | Rate       | Basic Fee \$760.00 |
|---|--------------|--------------|------------|--------------------|
| Total                                       |              |              |            |                    |
| Claims                                      | 2 -20=       | 0            | x\$ 18.00= | \$                 |
| Independent                                 |              |              |            |                    |
| Claims                                      | 1 -3=        | 0            | x\$ 78.00= |                    |
| Multiple Dependent Claim(s) (if applicable) |              |              | +\$270.00= |                    |
| Total                                       |              |              | =          |                    |
| Reduction by 1/2 for                        |              |              |            |                    |
| filing by small entity                      |              |              |            | -                  |
| TOTAL FILING FEE                            |              |              | =          | -0-                |

jc595 U.S. PTO  
02/04/99

09/119,024

jc612 U.S. PTO  
09/244130

02/04/99

6. ☒ **This application is being filed without the filing fee.**
7. ☐ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
8. ☒ Amend the specification by inserting before the first line, the sentence:

--This is a ☒ divisional of application Serial No. 09/119,024, filed July 20, 1998, which is a continuation of application Serial No. 08/336,241, filed November 7, 1994, which is a CIP of application Serial No. 07/971,160, filed November 5, 1992, which is a CIP of application Serial No. 07/879,689, filed May 5, 1992, all of which are incorporated herein by reference.--

9. ☐ New formal drawings are enclosed.
10. ☒ The prior application is assigned of record to: Institut Pasteur at Reel 7450 at Frame 0500 and Universite Pierre et Marie Curie at Reel 7450, Frame 0446
11. ☐ Priority of application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ (country) is claimed under 35 U.S.C. § 119. A certified copy  
☐ is enclosed or ☐ is on file in the prior application.
12. ☐ A verified statement claiming small entity status  
☐ is enclosed or ☐ is on file in the prior application.
13. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609;

## LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, D. C. 20005  
202-408-4000

56  
4/3/03  
"CE" 1150

No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. No. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Dirk D. Thomas, Reg. No. 32,600; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanhon Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; and Linda A. Wadler, Reg. No. 33,218.

14. ☒ The power appears in the original declaration of the prior application.
15. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
16. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315.
17. ☐ Recognize as associate attorney \_\_\_\_\_  
 \_\_\_\_\_  
 (name, address & Reg. No.)
18. ☐ Also enclosed is \_\_\_\_\_  
 \_\_\_\_\_

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:

Kenneth J. Meyers

Reg. No.: 25,146

Date: February 4, 1999